G. R. S. IX-5]

Previous references.

1891-92

~~191-~~

(Courts)

File No. 19

Serial Nos. 1—

Later references.

15-2-96

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1—8

Major ~~Part~~ B for October 1892

SUBJECT.

Appointment of Justices of the peace in the Mysore State.

W D 88—GPB—50,000—24-7-16

Indexed

(General Serial No. 29)

OFFICE OF THE DEWAN OF MYSORE
10336
6 FEB. 91

1891 197

From The Registrar of the Chief Court of Mysore.

To The Secretary to the Dewan of Mysore.

Dated 4th February

Despatched 5th February 1891

Received

Enclosures No.

General No. 480 } 1891
No. 17 }

Forwards copy of a letter from the District Magistrate of Mysore and points out the necessity for some better arrangements being made for the trial of European British Subjects at Bangalore and Kolar.

(1)

cls
12-1891

Copy to Resi. Thro
Civil Resident
for Information
Resident for
Information
Chief Secretary
Cross & Two
in The mail

manager
Asst
4/3

23/2/91

Draft wtd

AS
7-2-91

No. 400
17

Bangalore 4th February 1891

(1)

From

The Registrar of the
Chief Court of Mysore

To,

The Chief Secretary to the
Dewan of Mysore.

Sir,

In forwarding the accompanying copy of letter No. 3026 dated 3rd December 1890 from the District Magistrate of Mysore, I am directed to state that a Criminal complaint of assault and trespass was instituted against a Mr. Damonte, who having claimed to be an European British subject was placed before the late Assistant Commissioner Mr. F. B. Glass who was a Justice of the Peace. After his death the case was brought before the Town Magistrate Bangalore, who, not having jurisdiction requested its transfer to a Justice of the Peace Mr. Ricketts was thereupon requested to

take

take up the case, but he declined to do so, on the ground that he ceased to be a Justice of the Peace after his retirement from the British service, and that, as the accused was charged under 3 sections of the Indian Penal Code, two of which were Police cases, it was inexpedient for him as head of the Police to try them.

The records were again submitted by the District Magistrate in October 1890, with a request that the case might be sent to a Justice of the Peace, and the case was accordingly transferred to Mr. Meiklejohn, District Magistrate of Myitme, as Major Macintire was out in the District at the time. The case was struck off the file by Mr. Meiklejohn, as the parties were not present when it was called on.

The transfer of this case from one Court to another and the great delay that has taken place in its disposal and the inconvenience and annoyance thereby caused to parties and witnesses illustrate the necessity for some better arrangements.

I am

being made for the trial of European British subjects at Bangalore and Kolar and I am directed to request that you will be so good as to lay the matter before the Dewan for his early consideration and orders.

I have the honor to be
Sir,
Your most obedient Servant.

S. Hennequeen
Registrar

Bll.

No. 3026

Mysore Distnct Magistrates' Court
Dated Mysore 3/4th December 1890

From

The District Magistrate (1) as
of Mysore

To

The Registrar of the
Chief Court, Mysore.

Sir,

Adverting to the order of the Chief Court No. 5029-30/106 of the 5th Ultimo, referring for my disposal a case in which one Mr Damante of Bangalore was concerned I have the honor to state that the case was taken up on the 22d Idem and owing to the non appearance of Complainant when called at 11-30 A M, it was struck off the file The parties however appeared later in the noon and the order was communicated to them

2. I take this opportunity to suggest, in the interests of the Public, that a Justice of the Peace should be appointed at Bangalore, as otherwise even in the pettiest of cases parties may have, as in the present case, to come a long and expensive journey, besides being put to very considerable inconvenience by having to absent themselves

two

two whole days from their ordinary

occupation

Shanéyea

/signed/ J. F. Meiklejohn

Asst Magistrate, Mysore

Copy

Shanéyellen

Registrar

ZPC

No. 1380L/645 of 7 March 1891

7/10

To

The Asst to the Resident
in Mysore

Sir,

(2)

Cancels
12-1891
2

Much difficulty and inconvenience were recently experienced in the trial of a criminal case in which an European British subject was concerned owing to the paucity of officers legally empowered to try such cases. I am therefore directed to request that the Resident will be pleased to move the Govt of India to appoint the undermentioned officers ~~to be~~ under Section 6 of the Foreign Jurisdiction and Extradition Act to be Justices of the Peace

within the territories of
Mysore.

W. H. H. Sparkes, Offg
Dy Com[r] Kadur Dn

W. C. Cress, Dist and
Sessions Judge, Nagar

W. P. R. W. Wetherall
~~Supdt~~ Police, Mysore

Chd.

9
J. 61

Courts
12—1891
3

General Serial No. 3

OFFICE OF THE
631
23 APR. 91
DEPT. OF JUSTICE

1891 67

From The Asst to the Resident in Kyeone

To

(3)

Dated 23 April 91

Despatched

Received

Enclosures No. 1

General No. 1280

No. 116.91

D 28/4/91

Sth Comr for Bryanston Gazetted

No. 1007/117

I am directed for information & copy of Notice of the Govt of India appointing Messrs C. Crisp, H. H. Starke & R. P. Wellerale to be Justices of the Peace within the State of Myore.

FH

Send copy & Instruction to Messrs Concerned

2) also a copy to Resident & Com for reference to his letter 460 of 4-2-91

17

3) Send a copy to Resident for information

Draft to Asst 24/4

23-4-91

No. 1228 Sec. 1
116-91

3

From

The ASSISTANT to the RESIDENT in MYSORE.

To

The Dewan of Mysore.

Dated Bangalore, 23rd April 1891.

Sir,

In reply to your letter No. 1301-01/645 dated the 7th March 1091, I am directed to forward for the information of the Darbar a copy of the notification of the Government of India, Foreign Department No. 1563 dated the 13th April 1091. — appointing Messrs C. Cree, H. H. Sparkes and P. R. W. Wetherall to be justices of the Peace within the State of Mysore.

I have the honour to be,

Sir,

Your most obedient Servant,

Captain

Asst to the Resident

(Copy) 11 au. 613

No. 1563 I. 3 a

Foreign Department,

Simla, the 13th April 1891.

Notification.

In exercise of the powers conferred by section 6 of the Foreign Jurisdiction and extradition Act (XXI of 1879), the Governor General in Council is pleased to appoint Messrs. C. Cress, A. A. Sparkes and C. R. W. Wetherall, to be justices of the Peace within the State of Mysore

sd/- H. M. Durand

Secretary to the Govt. of India.

"Copy"

Henry Claike

Registrar.

(General Serial No. 30).

189 /

From

To The Compiler
Mysore Gazette.

courts
12-1891

Dated 28 April

Despatched 30

Received

Enclosures No. One

General No. 1007
No. 117

Has the honour to forward for publication in the next issue of the Mysore Gazette the enclosed copy of Notification No. 1563 a dated the 13th April 1891 issued by the Govt of India in the Foreign Department; appg certain Gentlemen to be Justices of the Peace in Mysore

28/4/91

Under Secretary

2/6137/1

No. 1011/12 dt 28/4/91

(5)

To The Registrar of the
Chief Court of Mysore

No. 1011/12 of 28-4-91
30.
Enc. One.

Courts
12-1891
S

Sir,

With reference to your Letter no. 400/17 dated the 4th February 1891, I am directed to forward herewith a copy of the Government of India, Notification No. 1563 J dated the 13th April 1891 appointing certain Officers of the Mysore Government to be Justices of the Peace within the State

I have &c

28/4/91
Under Secretary

(General Serial No. 30).

189

From

To

Messrs Cressy
H. H. Sparkes
& R. W. Wetherall

Dated

Despatched 28 April 30

Received

Enclosures No. one each

General No. 1008, 1009, 1010
No. 118, 119, 120

Has the honor to forward, for information the enclosed copy of the Government of India Notification No 1563 dated 13th April 1891, appointing him a Justice of the Peace within the State of Mysore

Under Secretary

Please put it up & send again.

n.a
17/10

To The Current Records

Please make ends of Records letter No. 1125 of 23-4-91.
116-91 6

RD
15/10 Sir

Inde Govt Robin is on the file but the surname Govt Robin is required, please furnish.

n.a
18/10.

It is cannot trace - correct ref.

RD
18/10

Sub for orders.

Mr Sparkes is the nearest Justice of the Peace & has Jurisdiction throughout the Province. The case should then form be sent to him for disposal. Intelligence Reports should also be sent to him.

18-10-92 C

To Underseey

Please draft a memo & submit Honourable (Govt) & give with his approval or instructions

RD 19/10

Asst Secy Coast

Judl Branch for draft

Mesn
22/10 92

(General Serial No. 30.)

(V5)

OFFICE OF THE
3616.
7 OCT. 92
DEWAN OF MYSORE

1892

From

The Dy Commissioner
Coorg & Canara District.
12 To 1892

(7)

The Chief Secretary to the ~~Dewan~~ Govt of Mysore.

Dated 6th
Despatched 6th } October 1892
Received

Enclosures No. none

General No. 437.
No. Secy.

In reply to

SUBJECT.

under the circumstances ~~stated~~, requests definite orders as to whom Complaints against European British subjects should be sent for trial &c. ——

Put up to Govt. appg Mr Sparkes a J.P.

C
10.10.92
11

Judl

References (to be entered only in the Dewan's Office).

Current Records

Please put up No 1011 of 92 to the file Govt and send this back to Judl Branch. RM 14/10

Reference Publish

RD 17/10
17.10.92

No. 437
Secy

16

Deputy Commissioner's Office Hassan
Dated Hassan 6th October 1892.

(7)

From,

P. N. Purnaya Esqre.
Deputy Commissioner,
Hassan District.

To

The Chief Secretary to the
Government of Mysore.
Bangalore

Sir,

I have the honor to report for the information of Government that a Complaint of hurt under Section 324 Indian Penal Code having been filed before the Police of Manjarabad by one Chennaveeraiah against one Rt. Virginius, a British born subject, the Police have taken up the case on file and submitted the usual first occurrence report to the Second Class Magistrate of Manjarabad. The Magistrate forwarded the same

to

to this Court as the Complaint was against an European British born subject and he had consequently no jurisdiction in the case.

2 — I beg to submit that as no notification has been published appointing a justice of the peace for the trial of cases arising within District against European British born subjects, it is — doubtful to what Court such first intimation reports and final Police Reports should be sent for trial. I therefore request definite orders on the subject. —

I have the honor to be,
Sir,
Your most obedient servant

P Murraiya

Dy Commissioner
Hapar District

m

Published in Part II of Mysore Gazette
of 2 May 1891 198

Foreign Department.

No: 1563 I

Notification

Simla the 13th April 1891

In exercise of the powers conferred by Section 6 of the Foreign Jurisdiction and Extradition Act (XXI of 1879), the Governor General in Council is pleased to appoint Messrs C. Cross, H. H. Sparkes and C. R. W. Wetherall, to be Justices of the Peace within the State of Mysore.

(Signed) H. M. Durand
Secy to the Govt of India

No 5802-3 dt 27/10/92
2.7 145-92 29

OF MYSORE

Read:—

Courts
12-1891
8

Letter No. 437 Dy
6th Instt: from the
Dy: Commr of Hassan
stating that no
notification has
been published ap-
-pointing a Justice
of the Peace for
trial of cases aris-
-ing within the
Hassan District
against European
British-born sub-
-jects and request-
-ing instructions
as to which Court,
in cases against
European British
born subjects,
Police Reports in-
-cluding first
intimation and
final-

final Reports
should be sent.

Order No 5802-3
J.7.145-92

"The Govt. observe that as under the Notification of the Govt. of India, Foreign Department, No. 1563 I, dated 13th April 1891, Mr. Sparkes is a Justice of the Peace within the State of Mysore and as such has Jurisdiction over European British subjects in the Hassan District, where there is no Justice of the Peace, the Police Reports referred to should be

be submitted to him and the accused European British subjects of the said District placed before him for trial.

27/10/92

for Chief Secretary

26/10/92

To The Dy. Commr Houssa District.

Mr. H. Sparkes, Justice of the Peace.